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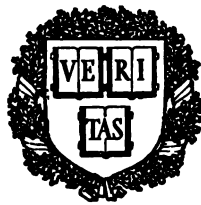
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widow of the late president. 1841

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**SPEECH**

**OF**

**MR. UNDERWOOD, OF KENTUCKY,**

**ON THE**

**BILL APPROPRIATING 25,000 DOLLARS**

**TO THE**

**WIDOW OF THE LATE PRESIDENT.**

Delivered in the House of Representatives, June 18, 1841.

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**WASHINGTON:**

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## SPEECH.

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MR. UNDERWOOD said: I rise with unusual embarrassment, because my heart favors the bill, whilst my judgment is against it. There are many widows in my district. One or two thousand dollars—yes, sir, a few hundred—would be a comfortable thing for each of them; and my heart prompts me to give whenever I can make others happy by it. But could I, merely to gratify my feelings, vote the public money to them, because they were poor and in want? Could I select the widow of some conspicuous man and make her rich, leaving the rest to suffer? Were I to act thus in regard to the widows of the district I represent, I should be certain to encounter a storm of indignation upon my return among them, which I should meet with great reluctance. How is it that Mrs. Harrison gets the start of all the rest, and “bears the palm alone?” Can we make exceptions in behalf of any one without violating the fundamental principles of Republican Government?

As I shall separate on this occasion from the body of my political friends, justice to myself requires that I should explain to my constituents the motives which govern me. If, for the first time, I had just taken my seat on this floor, I might, perhaps, be led away from the path of duty, and press on with the enthusiastic crowd in support of this bill. It is easier to run with the crowd and float with the current than to go against them. But having heretofore considered the principle of this bill, before voting on measures of a like character; and having discovered no reason to change, after an attentive examination of the arguments now brought forward in its favor—indeed, when the very weakness of those arguments confirms my previous opinions—I am constrained, by self-consistency and a sense of duty, to resist the crowd and current, at the hazard of being trampled under foot or drowned in the rushing waters.

A political friend on yesterday undertook to denounce, in no measured terms, those who intended to vote against this bill. I will not repeat his language. It has gone out to the People in the columns of the National Intelligencer, and, if approved by them, those in my situation, on returning home, must encounter the frowns of indignant constituents.\* I must prepare for the meeting, and ward off as well as I can those blows of denunciation dealt out by the gentleman, and which I think most unwarrantable.

My first objection to this bill, and all others of similar character, is, that they are retroactive and discretionary on the part of Congress. It is legislative discretion, applying itself to an individual case, and making provision for it; whilst other cases equally embraced by the principle are left unprovided for. I do not say that legislative discretion is never to be tolerated. To a certain extent it must always exist. In the adoption of means to promote a given end, with propriety we may exercise a wide *discretion*. But, in regard to the ends and objects of Government, there should be no *discretion*, or such only as is based upon and regulated by fixed principles. It should not be arbitrary, impulsive, capricious. It should not be the discretion which tyrants exercise—a discretion influenced by motives of partiality to give to A and withhold from B, when their claims are iden-

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\* NOTE. Mr. LANE, alluding to Mr. DEAN, as reported in the Intelligencer, said—“Did the member think to achieve for himself immortality by having his name on record as an opponent of this bill? Yes, he might, but it would be an immortality of infamy.”

tical. My objection is, that your discretion in this case selects the family of a popular dead man as objects of your bounty, and you make a donation of \$25,000 to the widow, when there is no principle upon which you can do this thing, which would not equally require you to make donations to the families of all those who have rendered important public services. My objection is furthermore to the retroactive features of this procedure. You seize upon the past facts and circumstances of an isolated case, and you declare, by this bill, that they have made such an impression upon your feelings, (and upon your judgment and your sense of justice, if you choose to say so,) that you deem it proper to legislate for it, separate and apart from all others of the same class, and thus to make it an exception. As a general rule, I am averse to all retroactive legislation. In reference to criminal cases, the American Constitutions, State and Federal, have wisely provided that *ex post facto* laws shall not be passed. Retroactive legislation is always impolitic, except it be to relax rules and laws which, by change of times and circumstances, have imposed burdens which were not foreseen, and could not be provided against. You do not, in this case, propose to repeal, or modify, or exempt any one from the operation of former laws, which have proved to be burdensome, but you grant a bounty, you make a donation out of the public Treasury to a widow, being moved to the act by the past transactions and circumstances with which her deceased husband was connected. Such a course conflicts with my ideas of the proper business of making laws. I came here to legislate for classes, and not particular favorites of the class. I look to the whole, and not to a part. I came here to prescribe rules of action for the good government of this country in all future time, and not to grant largesses to eminent families or illustrious individuals.

My next objection to this bill is the danger of the precedent. Gentlemen need not suppose that this bill will constitute a precedent only to be followed when another President may die. In that point of view, it proclaims to the nation the fixed purpose to make a present of \$25,000 to the widow of every future President who may die in service. That will be the result. If not, this body must go into endless discussions upon nice and frivolous distinctions, with a view to show that, although it was proper to give to Mrs. Harrison, it is not proper to do the same thing for the wife of another. In these discussions, hereafter to arise, it may be said, no provision ought to be made for the widow, because her husband did not die as early after inauguration as General Harrison did; because the two or three years salary received was sufficient; because the deceased was not as popular; because he was rich, and not poor; because he had not rendered conspicuous military services, &c. &c.; and thus a debate upon such distinctions may be continued until the wages of members during the time consumed would amount to the sum proposed to be given. But, sir, I have no expectation, unless the People manifest a decided hostility to this bill, that Congress will enter into any serious or protracted discussion on the subject hereafter, so far as the widow of a President is concerned. If the People silently acquiesce at this time, future donations to the widows of deceased Presidents will be passed, like we pass appropriation bills to pay ourselves, without objection from any quarter. The only effort which need be made or expected, will be to keep the appropriation down to \$25,000. It has been proposed now, in the beginning, to give \$50,000. The gentleman from Pennsylvania, [Mr. SERGEANT,] who justly ranks so high for eminent talents, has even gone so far as to express the opinion that it would be just to grant to the family of General Harrison the sum which he would have been entitled to had he lived the four years; because that was the period which he was called to serve, and during which the nation "counted upon the length of his life." So, sir, \$50,000 has not only been actually proposed, but a *hundred thousand* is barely enough to meet the demands of justice, in the opinion of one of the most distinguished members of this body! If the People silently acquiesce, I repeat, and by their silence approve this measure, in after times the difficulty will consist in stopping short of a hundred thousand!

Where is this precedent to lead us? Is it to be confined to the presidential office? No, sir, no. We have already been told that the precedents of our past legislation not only justify but require the passage of this bill. We have been referred to the act passed in 1828 allowing the widow of General Brown his pay and emoluments from the time of his death (which occurred in February, I believe,) up to the end of the year. The practice of the Senate and of this House in allowing to the widows of the officers of the two Houses, who die in our service, the pay which their husbands would have been entitled to had they lived during the balance of the year; and even the practice of allowing to the waiters, and messengers, and pages of the two Houses, extra compensation, have all been referred to as precedents upon which this bill is to be justified. When such things constitute precedents and arguments in favor of this bill, do you not perceive, Mr. Chairman, that the bill will be quoted in all time to come as the justification of every donation; that it will be the foundation-stone upon which to erect an edifice of gratuities, not only spacious enough to shelter the widow who leaves the national palace, but high and broad enough to take in the widows of every civil, naval, and military officer, and of every private in the service of the country, down to the scullion and scavenger of the camp? Suppose the death of any of our distinguished military officers, of Macomb, of Gaines, of Scott, of Jesup, with what face can you deny to their widows a year's pay, when you have allowed it to Mrs. Harrison and Mrs. Brown? No, not to Mrs. Brown; you only gave her the pay and emoluments of her husband the balance of the year. You have thus already set the example of enlarging the precedents you profess to follow. It is delightful to expand, to contract afterwards is horrible! It will never be done except in a general convulsion, unless this bill meets with a signal condemnation by the People.

If the widows of our Generals are to have a year's pay, how and upon what principle are you to discriminate and refuse the like boon to the widows of Colonels, Majors, Captains, and Lieutenants? and, if all these are to be provided for, how can you exclude the widows of corporals and privates? If you provide for the army, can you exclude the widows of naval officers and sailors? Remember, sir, all depends upon legislative *discretion*. You will be governed by circumstances, after funeral solemnities have effaced the memory of faults, and when good deeds only can be appropriately mentioned. Who will venture to make invidious distinctions and comparisons? Who will deny to the widow of the brave soldier or sailor that which has been conceded to the widow of his commander? Shall the shining epaulet make a difference? When the Constitution prohibits titles of nobility, will you virtually create a privileged order, by making rich gifts to the widows of those who bear high commissions, and refuse them to the widows of the rank and file? No, sir, you cannot make a difference. The American People will never tolerate granting favors to those in high offices or to their families, unless the same favors, and in a degree proportionate to rank, are likewise conferred upon subordinates. To do it would be a fatal stab into the very heart of our republican institutions. Already has a spirit of jealousy been fomented and excited by demagogues for base and selfish purposes between the rich and the poor. The poor are taught by politicians of a certain class to believe that the rich are hostile and oppressive; that the interests of the two classes are variant; and that the action of the Government, controlled by wily and cunning men, is intended to make "the rich richer, and the poor poorer." This bill, and all like it, in behalf of the families of those of high rank and station, aggravates and increases that spirit of jealousy. It will burst forth into acts of open violence, unless you put the humblest public servant upon the same footing in regard to favors, in proportion to his rank, which the highest is entitled to. It is proper that it should be so; and I approve most heartily that jealous and watchful spirit of the People which secures a just distribution of public favors and benefits among all ranks and classes.

But, sir, will you be able to limit the influence of this precedent to the widows of



military and naval officers? Will you say, through all future time, that the widow of a man in civil station shall in no case receive a gratuity? Suppose the head of a Department should die, and that, too, within a month after he puts on the robes of office, may it not be said with truth that he has incurred much labor and expense in removing his family to the seat of Government, for which he has received no remuneration? The Government is in the habit of appointing distinguished members of Congress to lucrative and responsible offices in the customs, in post offices, in land offices, &c. &c., and very often they remove from the country and interior towns to the large cities to discharge the duties of their new stations. Now, sir, if they die in a month after moving to the city, in every case there is much labor and expense unpaid by the salary; and if you deal out impartial justice, and make the principles of this bill your standard, in all such cases you must grant to the widow or family of the deceased one year's pay. You have set an example in this bill, which, if followed out, must require donations to the families of all civil, as well as military and naval officers. Civil pensions have heretofore been discountenanced by the People. But by this bill you lay the foundation for them in their most odious form. You present them in the shape of gratuities, and these are dependent upon retroactive legislation, subject to all the whims, caprices, and partialities, which result from human passions in a moment of excitement. I warn my countrymen, that if they tolerate such things, they may look for the growth of public burdens, until taxation, with a view to support favorites, will in this country, as it has done in Europe, shorten the allowance of bread to those who labor with their hands. In my State there was one instance of a legislative act granting a civil pension to the late Judge Muter; and he was a revolutionary soldier. The act lasted but one year. The indignation of the People swept it from the statute book the session after it was passed. George Madison, a brave and conspicuous officer, and a most virtuous and noble-hearted man, was captured with his regiment at the river Raisin, in 1813, and suffered a long imprisonment at Quebec. In 1816 he was triumphantly elected Governor of Kentucky. He died in less than a month after taking the oaths of office. John Breathitt, my neighbor and personal friend, although we differed in politics, was elected Governor of Kentucky in 1832. He died before his period of service had half expired. Governor Clark died after serving about half his term. I never heard a whisper in Kentucky proposing to grant money to the families of Madison, or Breathitt, or Clark; and yet it is certain that the salary allowed was inadequate to meet the expenditures required by their high stations, much less to indemnify them for the expenses of the electioneering campaign. After the experience in Muter's case, no one dreamt of gratuities to the families of our very popular deceased Governors. But, fortified by the example of this bill, and prompted by our imitative propensities, who can tell what may happen should another Governor of Kentucky die in office? Sir, the different States may follow the principle of this bill. The precedent is not confined to the National Government. It is a precedent, in my judgment, of unmixed evil.

I shall now proceed to notice the arguments in vindication of this bill. In my opinion, the want of analogy between this and many of the cases referred to, should induce members to pause and reflect. I shall pass by that blustering pomposity which affects indignation at a supposed want of generosity on the part of those who cannot vote for this bill. I shall not notice that sentimental bombast, used rather for self-deification, than to honor the dead. These things are better suited to puerile debating clubs than to legislative Halls.

Some gentlemen have regarded this bill as an act of justice for the past pre-eminent services of General Harrison, not heretofore adequately compensated. Such general declarations amount to nothing. Let gentlemen specify. Was it *for military or civil services*? Or any other service? Was it that, in reviewing *the civil administration* of General Harrison whilst Governor of the Northwest

Territory, or in reviewing his military life, gentlemen had come to the conclusion that he had not been sufficiently paid? For these services he had received all that the law promised and allowed him; and if gentlemen intend to pay more than the law promised and allowed, when he accepted office, it is certainly the introduction of a new principle in the legislation of this country. Where will such a principle as that conduct us, Mr. Chairman? May we not expect under its influence, that some *justice*-loving legislator in these Halls will ere long review the military or civil life of Washington, of Jefferson, of Madison, of Monroe, or of the elder Adams, or of some living ex-President, and show how greatly inadequate and disproportioned the compensation received was to the services rendered, and thereupon propose a bill like this for the benefit of the family? Oh, that adorable Providence which refused children to Washington, the Father of his country, and to Madison, the Father of the Constitution! Why, sir, if lineal descendants of these benefactors, not only of America, but of the world, were in being and poor, the manifestations of sympathy and professions of *justice* on this occasion transferred to them, would grant millions instead of thousands! The widow of Madison yet lives, and a higher reputation for every virtue which adorns her sex no woman ever possessed. Jefferson and Monroe died poor, leaving children. In the life of the author of the Declaration of Independence some services, I think, may found, not adequately paid by past salaries. And here are fit cases for the application of the principles of this bill. Are they barred by lapse of time? Will you apply a retroactive statute of limitation to them? No, sir, no. Gratuities are never barred by lapse of time. During the session before the last, I think, a proposition was gravely submitted in the Senate, to grant to an Italian girl, a Miss Vespucci, a few townships of land, more or less, in consideration of her lineal descent from Americus Vesputius, and his *pre-eminent services* in depriving Columbus of the honor of designating this Continent by his name. Yes, sir, and Miss Vespucci was puffed in the newspapers, and her claims on account of the *services* of her great-great-great-grandfather, (I do not know how many generations she was removed from Americus,) were lauded and recommended very much in the manner adopted by the press in bringing General Harrison's family before the public. There will be no statute of limitation, and the families of all our dead, as well as living Presidents, need be under no apprehensions that their claims to gratuities will be barred by time!

The idea of passing this bill, because General Harrison was not paid enough when acting as Governor, or Commander of the Northwestern army during the last war—of going back thirty or forty years to consider his relations then existing with the Government, to find reasons for now legislating in behalf of his family, is equally extraordinary and alarming.

The gentleman who introduced this bill [Mr. ADAMS] had referred to the expenses which General Harrison had necessarily incurred prior to his election, and had contended that it was no more than equitable that he should to some extent be indemnified. Here was an avowal, that it was proper to pass this bill as an indemnity for the expenses of the electioneering campaign.

[Here Mr. ADAMS rose to explain, and said he had made no such declaration as that this bill was "an indemnity for the expenses of the electioneering campaign." What he had said was, that, by the position the late President occupied for about eighteen months before his election, he was not only exposed at home—at his own house—to a heavy and burdensome expense in exercising a thousand of the rites of hospitality, because of the very numerous visitors who called to see him, and whom he would not turn away from his doors, but he was also exposed to a very great expense on account of postage, which must have amounted to thousands, for every man wrote to him.]

The great number of "visitors" who called to see the candidate, and greater amount of "postage" paid in consequence of being a candidate! And what,

said Mr. UNDERWOOD, are those but the expenses of the electioneering campaign? I did not say that the gentleman used that phrase. I know he did not. But I say, from his published remarks in the *Intelligencer*, and from his explanation now given, it amounts to that, and nothing short of it. We are, then, to indemnify candidates for the burden of entertaining their "numerous visitors" and the "great expense on account of postage!" Who here does not know, that when he is a candidate for a seat in Congress his expenses are greatly increased in the particulars mentioned. Much greater is the increase of expenditure by a candidate for the Presidency, and especially with one like General Harrison, "the string of whose latch always hung on the outside of his door." But who ever heard before, that the public Treasury was to be burdened with these expenses—that the People were to pay the bill? What would our constituents think of us, if we were to pay ourselves out of their money for such expenses? And yet, sir, if this bill is to pass for such reasons as are assigned in General Harrison's case, it will constitute a precedent in behalf of members of Congress. And let me tell you, Mr. Chairman, it will be followed. We have already sanctioned the payment of both parties where a seat is contested. I thought this an outrage upon principle when it first took place in the case of Newland and Graham; and then protested against it. I predicted the consequences which have been sadly verified; and it will require but slight authority, in the way of precedent, to make our "*hospitalities*" and "*postages*" before the election a public charge!

My colleague [Mr. POPE] is the only gentleman who has assigned, in my opinion, any plausible grounds for the passage of this bill. He puts it, not upon indemnity for expenses before the election, but upon expenses and sacrifices afterwards made by General Harrison in giving up his own business, and in removing himself and family to this place, with a view to discharge the duties of the office to which the People had called him. There is something tangible and substantial in this idea of my colleague, and he illustrated it with much force by the case of the attorney which he supposed. As I approve his idea, I will give another illustration. We have reserved niches in the Rotundo to be filled by historical paintings. Suppose we engage a foreign artist to cross the Atlantic with a view to fill one or more of those niches, and promise him three or four thousand dollars per annum, with the expectation that he will be engaged in the work four years. He abandons his business and his home. At considerable expense he comes with his family to our shores, and, in walking the plank from the ship to the land, he unfortunately slips, falls into the water, and is drowned. Here he has not even began your work. But suppose he had labored a month and then died. In either case, I should regard it equitable to grant an indemnity for the expenses of his removal, and sacrifice of his business at home. I would grant it, and that, too, without referring the settlement of the account to a master commissioner. I would make a liberal allowance. It is the justice of this principle which has induced Congress to pay mileage to its members, and to consider them as in public employ if detained on the road by sickness. If this bill provided such an indemnity, I would vote for it most cheerfully: and I believe there is not a sensible, honest man in this nation but would approve it. But to whom ought such an indemnity to be made? I say to the estate of the dead man. In the case put, suppose you refuse to allow the artist to fill the niche with his painting, and tell him he need not go to work, he would be entitled to damages in a court of justice, and would recover them against the Government, provided he could sue it. He would not be entitled to the full compensation of four years labor, which the gentleman from Pennsylvania has suggested as proper in this case; but he would be entitled to something. In seeking the moral basis upon which his claim rests, I find it, to the satisfaction of my mind, in the expense and sacrifices of the preparation for the labor, after his services were required; and not in the expenses incurred, soliciting and electioneering for employment. To do justice, the indemnity should go to the man who is

the meritorious cause or the equitable obligation, if he be living; and if not, then to his estate—his legal representatives. But instead of acting upon these obvious principles of justice, you refuse to indemnify the estate; and you make a donation to a member of the family, who may, or may not, at her discretion, apply the money to the uses of the estate. General Harrison's time, money, and business, sacrificed in his preparation to enter into the service of the nation after he was elected, belonged to creditors; and if you indemnify for these losses as you should do, the indemnity should go to the executor or administrator for the use of creditors, if there are any. But as it is, you exhibit to the nation the odious spectacle of providing for a man's family through and upon his merit, by depriving creditors of a fund which should first satisfy their honest demands. I know nothing of the pecuniary affairs of General Harrison's estate; but if his honest debts should remain unpaid, you will subject his memory to reproach, and your legislation to the curses of those who suffer from your violation of correct principles.

Sir, the principles upon which an indemnity may be granted, as stated by my colleague, are correct; but the misfortune is that the principles are not carried out. Why, sir, if General Harrison, seeing his dissolution was at hand, and adverting to the principles of my colleague, supposed that Congress would make some indemnity for his losses, had by his last will and testament bequeathed the expectancy, this bill would be a reproach to his memory, or his testament a lasting stigma upon our conduct in passing it.

Mr. Chairman, the suggestions I have made are conclusive with me, that the idea of an indemnity, for extraordinary services or losses by General Harrison, cannot sanction this bill; that, upon its face, it is no indemnity, but a mere gift, based upon no other consideration than the partiality entertained for the deceased husband of the donee; and, as such, I present it for the denunciation of every reflecting citizen.

But the argument of the gentleman from Pennsylvania, [Mr. SERGEANT,] based upon certain acts of Congress heretofore passed, goes to justify this bill as a gratuity. Well, sir, if in that light it can be justified; if Congress may give away the public money to the widows and children of every meritorious man, after he has received, in his lifetime, the full salary which he expected on entering the public service; if, after the death of a public servant, we are to reproach ourselves with committing the sin of ingratitude towards him whilst he lived, in withholding adequate compensation, and are to satisfy our consciences for the iniquity by taking money out of the public Treasury and giving it as a gratuity to the surviving wife and children; if that be the principle of this bill, justified by the cases cited, I wish the people to know it and to understand it.

Let us examine the gentleman's cases. I shall not take time to discuss the propriety of the laws cited, or how far they are worthy being followed as precedents. I may have something to say on that point, if a case precisely analogous should ever come before this body when I am a member. All that I shall now attempt to do, will be to distinguish between the principles of the cases cited and the discretionary right now contended for to grant largesses to the family of any man, living or dead.

The gentleman [Mr. SERGEANT] refers to the purchase of provisions by the Government, and the tender thereof as a present to the Government of Venezuela, for the relief of her citizens, famishing and suffering under the effects of a dreadful earthquake. This was done in pursuance of an act of 1812. Here is a mere gratuity to a foreign Government, founded upon discretion, and based upon no other consideration than humanity. If this be proper and constitutional, it is asked, may we not, in like manner, give to Mrs. Harrison? "If!" Here is an "if!" Well, sir, I promised not to go into the principles of the cases cited, but to discriminate merely. One of the especial objects of the Constitution of the National Government is, the intercourse with foreign nations. Congress is vested

with power to regulate commerce, and the President and Senate are authorized to make treaties. Now, I will not say, that it is unconstitutional in the exercise of these high powers to make a present, as a preliminary to negotiation, especially to princes or to nations where such things are not only tolerated but expected; but I will say, that the practice of giving or receiving presents was most eloquently and unequivocally condemned by the mover of this bill, [Mr. ADAMS,] no longer than the last Congress, in the case of the presents from the Imaum of Muscat, and the Emperor of Morocco. It appeared, in the discussion relative to these presents, that the Executive Department had given our diplomatic agents, resident in the Barbary States, positive instructions to receive no presents. The gentleman from Massachusetts [Mr. ADAMS] amused the House, beyond measure, in commenting upon the reasons assigned by the American Consul at Tangiers for receiving the present—"an enormous, magnificent lion and lioness"—contrary to his express instructions. The poor Consul was threatened by the Emperor's servant to turn the beasts loose in the "*Cul-de sac*," by the Consul's house, and this threat induced the Consul to accept the lion and lioness in a cage, rather than have them delivered in the street. The Consul, however, told the man it was contrary to the orders of his Government to accept presents; to which the man replied, his master had ordered him to deliver the animals, and he should do it. In the course of the discussion about these presents, not a member on this floor justified the practice, either in giving or taking; but, as they had been sent, it was at last resolved to sell them, and put the money in the Treasury. The acceptance of presents by our officers from foreign States, or their rulers, is positively prohibited in the Constitution. And yet, sir, notwithstanding this recent condemnation of the practice of giving or receiving presents, and the great difficulty we had in knowing how to act, so as not to give offence to those who sent them, the gentleman from Pennsylvania, in his researches, has found that the Government sent provisions, about thirty years ago, to Veneuzela, to arrest the ravages of famine—to alleviate the desolation of an earthquake—and that is a precedent to support a donation to Mrs. Harrison of \$25,000! War, Pestilence, and *Famine*, constitute cases which, upon a principle of necessity, ride over the ordinary laws which govern communities. I do not believe, in such cases, or in any other, that it is unconstitutional for this Government to observe the good neighborship which should prevail among nations, as well as individuals. But, I confess, it does surprise me, that a gentleman, of the reputation of the member from Pennsylvania, should bring forward such a case to justify the passage of this bill.

I pass to the consideration of the gentleman's next case. He says that Congress gave money to the people of Alexandria, in this district, to relieve their wants occasioned by the great fire, which turned hundreds, if not thousands, penniless and houseless, into the streets. True, sir, Congress gave \$20,000, on the 24th of January, 1827, for the relief of the "indigent sufferers" by the fire in Alexandria—to those who had no means to save them from perishing by hunger and cold. You are now about to give to Mrs. Harrison \$5,000 more than was given to all the Alexandria sufferers! Is she hungry and naked, penniless and houseless? Or will her dower in the fertile acres of North Bend make her comfortable, independent of your bounty? I have already said, I know nothing as to the situation in which General Harrison left his pecuniary affairs. We are legislating without inquiry, and in ignorance in respect to them; and hence I infer that, whether he died rich or poor, and whether his widow is entitled to a rich dowry or not, you do not care to know, and the knowledge either way would have no effect upon the passage of the bill. Your course, in this respect at least, proves that your sympathies are not now moved by a case of actual suffering, as when fire consumed Alexandria. There is a constitutional warrant for the donation to the people of Alexandria in the legislative jurisdiction "in all cases whatsoever" which Congress exercises over this District. *Did Congress give money to clothe the naked, feed the hungry, and shelter the*

houseless, when the great fire in December, 1835, destroyed millions of property in the city of New York? No, sir; not one cent was given for any such purpose. Why? Simply because Congress had no right to bestow alms to suffering citizens out of this District. It was with great difficulty that a remission of duties on goods consumed by the fire could be obtained. It was thought mercy enough to give some indulgence upon duty-bonds, and to release the demand where the merchandise was consumed. But suppose Congress had power to give money for the relief of distress occasioned by fire, to the people of every city or town in the United States, and were in the habit of doing it, how does that prove the propriety of passing this bill? So far, the gentleman's precedents prove that Congress thought proper to relieve against one foreign earthquake and one domestic fire by making donations. Thus, sir, the extraordinary calamities which fall upon mankind, by the outbreking, warring elements, and our legislation to relieve the consequent misery, are good reasons to induce us to give \$25,000 to the widow of an aged man, carried off by disease, in the ordinary course of human events! Really, sir, I see but little analogy between a yawning earthquake, spreading desolation over a country, or the conflagration of a city, and the death of General Harrison; and the gentleman must pardon me for saying such precedents have no weight in this case.

The gentleman's next precedents are cases of stage drivers, maimed and murdered by mail robbers; to the maimed survivor the Government granted a pension, and, to the family of the murdered man, granted an annuity. Such acts depend upon a well recognised principle, which has been practised upon from the Revolution down to the present day. Before the formation of the present Government, the Revolutionary Congress called upon the States to apply this principle in behalf of the soldiers maimed whilst fighting our battles. It is now fully recognised upon the statute book, by those acts which provide pensions for the soldier disabled by wounds received in the line of his duty, and by granting annuities to the families of those who are killed. There is no reason why this principle should not embrace the stage-driver shot down by a mail robber, as well as the soldier in the army. They are both in the public service. But how does this principle apply to General Harrison. Was he killed in the public service? [Here many voices said, "yes, yes."] He died in the public service, I admit, but he was not killed by wounds received. He was not exposed to enemies or robbers. He died in the arms of his friends. I know the principle has been extended to cases where the death is the consequence of disease contracted by extraordinary hardships and exposure, when acting in the line of duty, and in the public service. Naval pensions have been allowed to the widows of officers and seamen who die in service "by reason of disease contracted in the line of their duty." This is broad enough to embrace all, and the sad effects of its recent introduction already constitute the subject of universal complaint, those excepted who fatten by it. It has consumed the naval pension fund. But this is an admitted abuse of the principle; and recently, whenever this House has had an opportunity, it has so decided. What extraordinary hardships and exposures did General Harrison undergo? The last time I saw him I met him walking on the Avenue, opposite the theatre. He was unattended. He was then as active, and apparently as healthy, as most men of his age. This occurred about fifteen days after his inauguration. If I am correctly informed, the immediate cause of General Harrison's disease was exposure to a slight shower, getting a little wet, and taking cold. The same thing might have happened to him at North Bend, or any where else, either in or out of the public service, and been attended, at his time of life, with the same fatal consequence. If his death falls within the principle which you intend to adhere to through all future time, then every man who dies in the public service, no matter from what disease, equally comes within it; and the inevitable consequence will be, that the nation must support a civil pension list, as burdensome as those of the

old world. We shall soon transcend our past folly, by which the naval pension fund has been eaten up, and drafts made upon the Treasury to the amount of hundreds of thousands to supply the deficiency.

The next class of cases which the gentleman adverted to, was the gold medals and splendid swords voted and presented to officers who distinguished themselves by some brilliant achievement. Where is the authority to make such gifts as these? And if Congress can give a medal or a sword, may they not give \$25,000 to Mrs. Harrison? There is a wide difference between the cases, in my opinion. In giving a medal or a sword, you do not intend to provide the means of subsistence in the gift. The officer would be disgraced who should part with the medal or the sword for money, with which to engage in the ordinary affairs of life, or to supply himself with food and raiment, unless under circumstances of great necessity. And why? Because the gift was intended by the donor, his country, as the testimonial, the enduring memorial of her admiration and gratitude for his great actions. It is not the amount of meat and bread, or of luxurious living, which the medal or the sword can purchase, which gives value to it. No, sir; its value consists in the sentiment with which it is inseparably associated. It is the high moral and intellectual feast which results from the possession of a gift, consecrated by the gratitude of a nation, and ever bringing up the pleasing recollection of heroic deeds, which constitutes its value, and not the quantity of gold, or precious stones, or diamonds, which may decorate it. Have you power to purchase a sheet of paper on which to write a resolution of thanks? Can you communicate your resolution to the hero at such an expense as that? The medal or the sword is no more than the durable material on which to engrave your resolution of thanks; and you have the same power to select and use gold or steel that you have to purchase a sheet of white paper upon which to make the communication. Such things are essentially unlike a grant of money to supply food, raiment, and shelter. General Harrison has already received the thanks of his country, and a gold medal. You left him in his log cabin when you made that gift, and I see no reason now to furnish money to enable his family to build a splendid mansion. I would sooner look for souls capable of appreciating such a present, in the humble dwellings of competency, than in the decorated castles of wealth. Sir, we are aping the manners and practices of the old world. Let the precedent of this bill enrich the family of every President and conspicuous General out of the public Treasury, and you will teach the People that the glory of serving the country is nothing; that the wealth to be accumulated by it is every thing. I have somewhere read that one of Napoleon's Marshals entertained his friends in his own house, richly furnished and splendidly decorated. One of the guests was lavish of his compliments, and seemed to regret that fortune had not been equally kind to him. The Marshal replied, that if he could submit to be shot at, in fifty pitched battles, he would gain the same wealth, and might make the same display he did. I confess, sir, that it has always seemed to me, that the moral grandeur of heroism was forgotten by the Marshal, and the chief glory of man impliedly placed in the acquisition of money, by the reply. And so here; this whole procedure seems to place the crowning glory in money!

There is yet another class of cases, which has been mentioned by several speakers as justifying the passage of this bill. It is contended that the principle which grants pensions to the widows of revolutionary officers and soldiers requires us to make provision for Mrs. Harrison. If that be the principle, why not adopt it fully, and grant a pension to be paid half-yearly, and to terminate at her death. If you did that, she would only receive a sum equal to the full pay of a captain or to half the monthly pay of a colonel; but, instead of carrying out the pension principle, you grant a sum the interest on which will make \$1,500 annually, (more than double the allowance paid the widow of any officer of the Revolution,) and *then she has the capital of \$25,000 besides to bequeath to her children.* This is

a wide departure from the principle of revolutionary pension cases, and every other pension case. The common and true idea of a pension is, the grant of a sum of money to be semi-annually paid, and to terminate at the death of the pensioner. By this means, the pensioner has an income for maintenance as long as he or she lives; but, in this case, you grant, in the lump, a fortune so large that there is not more than one or two out of a thousand of the voters who sent us here owns as much; and if, by any misfortune, Mrs. Harrison should lose it, she is without the semi-annual aid provided by the pension system, and becomes dependent upon charity, or is thrown upon the resources left her by her husband.

But, sir, there is no analogy, in principle, between this case and the pension allowed the widows of revolutionary officers or soldiers. You pension their widows because you never paid them what you promised. They fought your battles, hungry and naked, when you were unable to feed and clothe them. When your independence was established by their toil and blood, and you grew rich as a nation, then, remembering their past sufferings and your own inability at the time to do them justice, your grateful hearts melted with compassion towards their poor widows, and you transferred to them a pittance, as a pension, in discharge of the unpaid debt due their husbands. That is the principle of revolutionary pensions. It does not apply to General Harrison's widow, because he was paid all that the Government promised him.

I have noticed every thing entitled to a moment's consideration urged in behalf of the bill, and can find no ground on which to justify any one in voting for it. Sir, I apprehend that the only palliation on the part of those who vote for it, is to be found in their feelings, and not in their reasonings. General Harrison was beloved for his personal qualities as a man—his urbanity, courtesy, generosity, and philanthropy. He was admired as a hero and a statesman, having ably and successfully served his country in war and in peace; but he was idolized as the head of a political party, which, under his banner, achieved a civil victory which will retard the overthrow, if it does not forever save, the liberties of the People. But for his death and your conduct upon this bill, I should pronounce the Republic safe. In his death, I see the omen of Heaven's displeasure, and in the manifest impatience to pass the bill, I see that you deserve the frowns of the Almighty. You are actuated in this movement by the sentiment which made Cæsar the master of Rome; which made Napoleon the Emperor of France; which bowed submissively to the domineering spirit of Andrew Jackson—the sentiment of idolatry towards a man. It has been fanned to a flame, more in your imagination than in reality, by a popular breeze; and you worship by the tender of money! I denounce your motive and your conduct as an act of political simony, as fatal to liberty as that personal subserviency which quietly wore the yoke of Cæsar and Napoleon or the collar of Jackson.

I trust that no one will suppose that I am indisposed to honor the memory of General Harrison. I spoke, wrote, and voted for him when he lived. I poured out my blood fighting under his orders. What I have said will, I hope, inflict no wound on any member of his family. I should rejoice if not only his widow, but each of his children and grandchildren owned double the sum you now propose to give. The example of their illustrious ancestor would, I doubt not, induce each of them to make a noble use of his wealth. My object has been to save the memory of the man I loved and our republican institutions from the tarnish of this bill.

When Washington died, like General Brown, he was commander-in-chief of the American army, and, like General Harrison, he left a widow. He had been twice unanimously elected President of the United States. He had never received any thing more than his expenses for his seven years revolutionary services. The Congress of the United States, in session when he breathed his last, was composed of those who framed the Constitution and established the Government. Oh! what a reproach this bill, and the arguments which support it, cast upon the



memory of those sages who raised the standard of independence against British oppression, and built up an empire of freedom for us! No one of them, when the father of his country died, introduced a bill for the relief of Martha Washington! No one of them, like the wise men of this Congress, thought of doing justice for uncompensated services, by granting a year's salary to the widow! Sir, if they had moved in such a manner—if that had been their demonstration of gratitude for the mighty dead, Mount Vernon would have blackened with shame, and the spirit of the hero would have burst from the grave and cried, "hold! hold!" in the halls of legislation. But, sir, what Mount Vernon would have scorned as an insult, you may think an honor to North Bend. Principles have not changed—times have. We live in a mercenary age. Men prefer a life of luxury and a monument of gold, to the toils of the hero and a burial in the hearts of their countrymen. This bill is emblematic of the change of times. The golden age has arrived. The desires of men's hearts are fixed upon gold! The standard of honor, of gratitude, of veneration for the dead, is gold! Save us, oh God! from such degeneracy! But, if we are lost in the vortex of party feeling and idolatry, bring back our children to the true principles of the Government, and let them carry those principles out.

I would honor the memory of Harrison as I have seen the memory of Washington honored. In passing Mount Vernon in a steamboat, it so happened that I was the only passenger on board who had visited the residence and tomb of the father of his country. I was answering the inquiries of my companions, and pointing out the hollow in which the grave is situated. No towering mausoleum is erected on the heights to invite the gaze of the traveller. After satisfying the curiosity of inquirers, I alluded to the services of Washington as the founder of our Republic; to his disinterestedness, evinced by declining to receive any compensation; and to the unostentatious brick walls and vault which now surrounded his remains. As I mentioned these things, I saw tears gush from the eyes of a stout young man, of intelligent countenance and plainly dressed, who had been an attentive listener, without speaking. In his tears, I saw a tribute of love and admiration for the character of Washington, which can only be paid by a noble, generous, and grateful heart. His was a recollection of the illustrious dead which satisfied his soul. It was no empty profession. It was the deep feelings of a kindred spirit sympathising in the trials and exulting in the achievements of the departed hero. It was a tribute which honored the dead and indicated the presence of that virtuous emulation which influences and leads to the performance of great actions. The soul capable of such emotions sickens at the thought that gold and silver constitute the highest rewards for public service. Such a soul has no faith in a doctrine so mercenary, and spurns it. There is a moral, intellectual, sentimental, and immortal standard by which to measure, and estimate, and honor the character of the dead. That standard I wish applied to our late President Harrison. I know it will be applied, if the People are left to their own reflections. I know it, from the fact that a nation's tears are mingling with those of his family. But your bill comes in, throws aside that standard, and arrests the current of holy feeling flowing in our bosoms. When properly interpreted, its meaning is, "Come, hush up. Here, take \$25,000, and wipe your eyes!"

[Here Mr. MASON, of Ohio, said he would like to know the principle which justified Mr. UNDERWOOD in offering a resolution which Mr. MASON read, allowing extra compensation to Mr. Stewart, one of the assistant doorkeepers, when he (Mr. U.) professed to be opposed to all such measures.]

Mr. UNDERWOOD said he would answer. He said, Mr. Stewart was one of the most faithful, attentive, and accommodating officers of the House, and, withal, one of the most modest, unassuming men he ever knew. After the House had settled the principle, and passed resolutions in favor of every body else, Stewart appealed to me, said Mr. U., with a feeling of mortification depicted in his countenance, to

know whether he had not done his duty as faithfully as the rest, and seemed to say, "If I have, why pass me by?" Sir, I thought if there was any preference to be given, he was clearly entitled to it; but, like most modest men, unwilling to scramble for favors, was about to be neglected. I instantly offered the resolution in his behalf, and would do it again and again, under the same circumstances. It is my duty to oppose your bad principles of legislation to the extent of my power, and I intend to do it; but, when you adopt the rule, then, I say, apply it to all or to none. Let it work uniformly. I protest against your arbitrary and unjust partialities. I say, embrace all, or none. I trust the gentleman is fully answered why I offered the resolution in behalf of Mr. Stewart.

[Here Mr. SPRIGG, of Kentucky, said he would like to ask his colleague, [Mr. UNDERWOOD,] before he took his seat, upon what principle it was he had made a report in behalf of the heirs of James Rumsey, and reported a bill granting a quantity of land to them. How could he grant land to them in consideration of their ancestor's services, as the inventor of steamboats, and vote against this bill for the benefit of Mrs. Harrison?]

I will answer, said Mr. U. If the Government had employed Rumsey to invent steamboats, and had paid him his stipulated wages, just as it had employed and paid General Harrison for commanding armies and governing Territories, I should have compelled his heirs to abide by the contract, so far as my vote is concerned. I should, under such circumstances, vote no gratuity to his heirs. But Rumsey's services, transcendent in their character, have to this hour not even received the thanks of his country, much less a pecuniary reward to his family. He was the first man on earth that moved a boat on water by the power of steam. He fell a sacrifice to his devotion to the cause of science and of the world, in a foreign land, and the world has given even the honor of the invention to others. True, this House, under the influence of a speech of surpassing eloquence, delivered on this floor by a nephew of Rumsey, unanimously voted a medal; but the act was not perfected by the concurrence of the Senate. And thus his services, which led the way to Fulton's success, still remain without thanks or reward. I am not opposed to compensating those who render services beneficial to this nation and to mankind, merely because there was no existing contract imposing an obligation upon the Government to pay. I admit that the Government may act upon other considerations than mere legal obligations; and, in the case of Rumsey's heirs, I believe other considerations do exist which justify all that I have ever proposed. But, suppose I am wrong in the case of Rumsey's heirs, (and that would seem to be the inference from the delay and failure of Congress, so far, to do any thing for them,) then I am surely right now, if there be any analogy between the cases. But there is no more likeness between them than there is between the case of two laborers, both of whom have worked faithfully in the public service; one under a contract who has received his wages, and the other without contract who has received nothing.

But, sir, I must stop. I have spoken to very little purpose, when the only effect it seems to have had upon the gentleman from Ohio [Mr. MASON] and my colleague [Mr. SPRIGG] has been to induce them to look into the Journals, to see if something could not be found for exhibition which would place me before the House and country as a fickle-minded, wavering politician. I think they might have been better employed in answering my arguments, if I have fallen into an error.

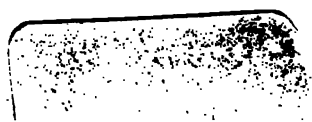
I have no expectation of ever being a member of this body again. What I have said may tend to defeat my political aspirations hereafter, if I should desire a seat in Congress. I may be the only one of my party who will vote against this bill. Be it so. I thank God that he has so organized me that I can resist following the crowd when their course, in my judgment, tends to destruction. During my continuance in public life, my great object will be to advocate principles

which can do no possible harm, but much good, if observed and practised. I shall attempt to obey the dying injunctions of the now immortal Harrison, by studying the true principles of the Government, and carrying them out. In my opinion, the spirit of the man—

“ Who ascended Fame's ladder so high,  
From the round at the top he has stepp'd to the sky,”

will blush, if the affairs of earth can excite such emotions in Heaven, because, in this your first act, you have violated his last request, under the pretext of providing for *his* family.

I am ready to vote ; and the vote I shall give, in an honest Republic, where a love of justice and equality of rights should prevail, (to borrow the language of the mover of this bill,) “ will stand the test of human scrutiny, of talents, and of time.”



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